

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BERNARD RHODES,

Petitioner,

No. CIV S-04-2250 RRB GGH P

vs.

MIKE KNOWLES,

Respondent.

ORDER

On March 11, 2008, this court ordered an evidentiary hearing to be held regarding whether insufficient evidence supports petitioner's conviction for DVI 02-2048 and his conviction for DVI 02-2048. Petitioner has requested the appointment of counsel. Pursuant to Rule 8(c), Fed. R. Governing § 2254 Cases, the court, having found that an evidentiary hearing is warranted, will hereby grant petitioner's request.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's March 18, 2008 (# 17) request for appointment of counsel is granted; and

2. The Federal Defender is appointed to represent petitioner for purposes of investigating, preparing for and conducting the pending evidentiary hearing.

DATED: 03/28/08

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE